

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15847 of Russel L. Cothran, pursuant to 11 DCMR 3108.1, for a special exception under Subsection 203.11, to establish an electronic equipment repair business as a home occupation in an R-2 District at premises 2213 T Place, S.E. (Square 5619, Lot 15).

HEARING DATE: September 15, 1993  
DECISION DATE: September 15, 1993 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 6C. ANC 6C, which is automatically a party to the application, submitted written issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 203.11. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. The home occupation shall be confined to the basement of the subject structure.
2. No signs shall be placed on the exterior of the existing structure to advertise the home occupation.

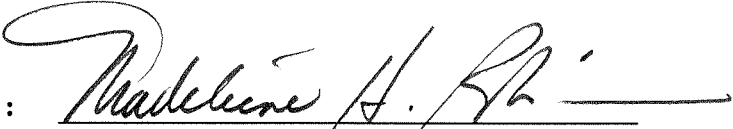
3. No exterior additions or alterations shall be made to the existing structure to accommodate the home occupation.
4. No more than one automobile shall be used for the purposes of the home occupation.
5. Deliveries, drop-offs and pick-ups shall occur at the rear of the site.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3-0 (Paula L. Jewell, Carrie L. Thornhill and Maybelle Taylor Bennett to grant; Sheri M. Pruitt and Angel F. Clarens not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Director

FINAL DATE OF ORDER: \_\_\_\_\_

OCT 1 1993

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS  
WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR  
CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER  
AND REGULATORY AFFAIRS.

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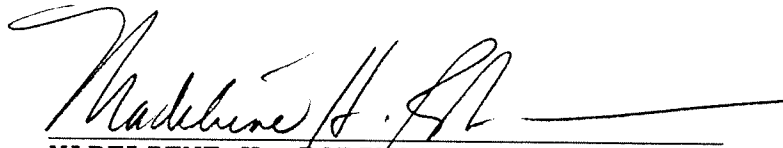


BZA APPLICATION NO. 15847

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on OCT 1 1993 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Russell Cothran  
2213 T Street, S.E.  
Wash, D.C. 20020

Oliver Johnson, Chairperson  
Advisory Neighborhood Commission 6-C  
2041 Martin Luther King Jr. Avenue, S.E.  
Suite 300  
Washington, D.C. 20020

  
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MADELIENE H. ROBINSON  
Director

DATE: OCT 1 1993